

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI

BRENDA DAVIS and)	
FREDERICK STUFFLEBEAN,)	
)	
Plaintiffs,)	
)	
vs.)	Case No.
)	
BUCHANAN COUNTY, MISSOURI, et al.,)	
)	
Defendants.)	

JOINT NOTICE OF REMOVAL

Pursuant to the provisions of 28 U.S.C. § 1441(a), (c) and § 1446, Defendants remove the above-captioned case from the Circuit Court of Buchanan County, Missouri to the United States District Court for the Western District of Missouri.

Removal of this action is proper because, pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1343(a), this Court has original jurisdiction founded on Plaintiffs' claims arising under the constitution and the laws of the United States insofar as they seek damages and redress for civil rights violations. Specifically, Plaintiffs raise claims of violations of 42 U.S.C. § 1983 in Count IV of Plaintiffs' Petition (Plaintiffs' Petition, ¶¶ 89-90).

Removal of this action is also proper because, pursuant to 28 U.S.C. § 1441(c), this Court has pendant jurisdiction over the claim of wrongful death in Counts I, II, and III of the Plaintiffs' Petition that seeks redress pursuant to the laws of the State of Missouri. This state claim arises out of the same acts and events that gives rise to Plaintiffs' Federal claims.

Removal of this action is proper in that all named Defendants that have been served agree and consent to the removal. Plaintiffs filed their Petition, which includes the Federal claim as set out above, on April 6, 2017. Defendant Buchanan County, Missouri was served on May 3, 2017.

Defendant Harry Roberts was served on May 3, 2017. Defendant Dan Hausman was served on May 3, 2017. Defendant Ron Hook was served on May 3, 2017. Defendant Mike Strong was served on April 13, 2017. Defendant Jody Hovey was served on May 3, 2017. Defendant Brian Gross was served on May 3, 2017. Defendant Natalie A. Bransfield was served on May 3, 2017. Defendant Dustin Nauman was served on May 3, 2017. Defendant Advanced Correctional Healthcare was served on April 10, 2017. Defendant Catherine M. Van Voorn, MD was served on April 20, 2017. Defendant Ann Marie Slagle, LPN was served on May 3, 2017. Defendant Warden Ryan Crews was served on May 3, 2017. Defendant Corizon Health, Inc. was served on April 10, 2017. Defendant Donna D. Euler, RN was served on May 3, 2017. Removal is timely and proper under 28 U.S.C. § 1446(b)(1) because this removal is being filed less than 30 days after service on the Defendants.

Written notice of removal has been mailed to all parties and to the Clerk of the Circuit Court of Buchanan County, Missouri, pursuant to 28 U.S.C. § 1446(d), a copy of which is attached as **Exhibit 1**. Pursuant to 28 U.S.C. § 1446(a), a copy of Plaintiffs' Petition served upon Defendants is attached hereto as **Exhibit 2**, along with a copy of the Returns of Service showing service on each Defendant as **Exhibit 3**.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 8, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. I further certify that I have caused to be served on the following a true and correct copy of the foregoing by depositing same in the United States Mail, postage prepaid:

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